

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

RONDERIO DESHUN PERRY,

Plaintiff,

v.

CITY OF HOUSTON, *et al.*,

Defendants.

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CIVIL ACTION H-12-580

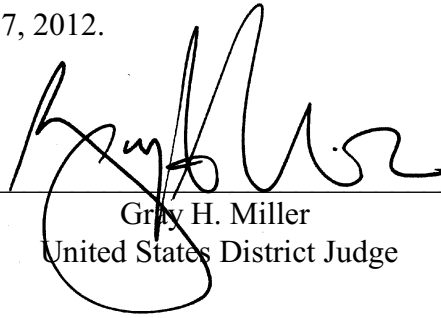
ORDER

Pending before the court is a motion to dismiss the claims against defendant L.E. Lopez pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) and to dismiss the tort claims against defendant City of Houston (the “City”) pursuant to Federal Rule of Civil Procedure 12(b)(1). Dkt. 18. Plaintiff Ronderio Deshun Perry’s response to this motion was due on or before September 21, 2012. *See* Dkt. 18. Perry has not filed a response. Under Southern District of Texas Local Rule 7.4, a motion to which the opposing party fails to respond is treated as unopposed. S.D. Tex. L.R. 7.4. Therefore, having reviewed Perry’s complaint, Lopez and the City’s motion, and the applicable law, and having received no response from Perry, the court finds that Lopez and the City’s motion should be GRANTED. Lopez and the City’s motion is accordingly GRANTED. All of Perry’s claims against Lopez are hereby DISMISSED WITH PREJUDICE. Additionally, all tort claims against the City, including the tort claims brought pursuant to section 101.021 of the Texas

Civil Practices and Remedies Code, are hereby DISMISSED WITH PREJUDICE. Finally, since the only remaining claims are the claims against the three unknown officers, and Perry has yet to serve these officers, those claims are hereby DISMISSED for want of prosecution.

It is so ORDERED.

Signed at Houston, Texas on September 27, 2012.

A handwritten signature in black ink, appearing to read "Gray H. Miller", is written over a horizontal line. The signature is stylized with a large loop at the end and a circular flourish underneath the line.

Gray H. Miller
United States District Judge